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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,607	04/13/2001	Peter Dam Nielsen	367.39878X00	3735

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EXAMINER

PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 04/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/833,607

Applicant(s)

NIELSEN ET AL.

Examiner

Namitha Pillai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 10-27 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S.

Patent No. 6, 147, 670 (Rossmann), herein referred to as Rossmann.

Referring to claims 10 and 14, Rossmann discloses a method for displaying information on a display with elements, wherein an element having either a continuous length presenting a length which is equal to or greater than the size of the display or a wrapped length presenting a length which is less than the size of the display, further providing a user interface having a menu structure of items (column 1, lines 41-47 and column 2, lines 3-7). Rossmann discloses providing a menu structure with a selectable continuous length item and/or a wrapped length item and selecting the continuous length item or the wrapped length item in the menu structure of the user interface and displaying the information according to the selection made in the menu structure of the user interface, in order to allow the user to toggle between continuous length and wrapped length (column 5, lines 29-36).

Referring to claims 11 and 15, Rossmann discloses the information is displayed as alpha-numerical signs (Figure 1).

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Referring to claims 12 and 16, Rossmann discloses that the element having continuous length is scrolled over the display (column 3, lines 11-18).

Referring to claims 13 and 17, Rossmann discloses the element having a wrapped length, adopted to fit the size of the display by splitting the element into several parts each part fit in the size of the display and feeding the parts in a vertical direction over the display, each time the length of the element is greater than the width of the display (Figure 1 and column 1, lines 41-47).

Referring to claim 18, Rossmann discloses a terminal for displaying information on a display with elements, wherein an element is provided with a continuous length presenting a length which is equal to or greater than the size of the display or a wrapped length presenting a length which is less than the size of the display with a display for displaying the information (column 1, lines 41-47 and column 2, lines 3-7). Rossmann discloses setting a first type of elements to be displayed as a continuous length item and a second type of element to be displayed as a wrapped length item, for identifying the first type of element when acting in a text to be displayed and for displaying the first and second type of elements according to their setting (column 5, lines 29-36).

Referring to claims 19-27, Rossman discloses a menu structure as disclosed in the prior art figures and discussion of menu items that are displayed in wrapped and continuous length, and wherein user selection is involved using the selection boxes (reference number 125, Figure 1) to select the continuous length item of Figure 2 or the wrapped length item of Figures 1.

Response to Claim Changes

2. The Examiner acknowledges Applicant's cancellation of claims 1-9 and addition of new claims 10-27. However all claims are rejected under 35 U. S. C. 102 as being disclosed in a prior art.

Response to Arguments

3. Applicant's arguments filed 2/4/04 have been fully considered but they are not persuasive.

With respect to Applicant's arguments that Rossman does not disclose a character key that is displayed as part of a user interface. There is no indication to a specific character key that is part of a user interface and that therein is used specifically to select any items, wherein there is no reference to such a process including specifically a "character key" in the independent claims. As is disclosed in the claims, Rossman does disclose a menu structure and wherein items that are represented as wrapped text and continuous text items are selected, thereby disclosing a menu structure that allows for the selection of a continuous length item (Figure 2) and a wrapped length item via the menu structure (Figure 1), wherein the selection boxes displayed (reference number 125, Figure 1) disclose a means for the user to select these items.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231.

If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed. Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeza can be reached on (703) 308-3116.


All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly

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set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai
Assistant Examiner
Art Unit 2173
April 14, 2004



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100